

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

ALBERT PATTERSON, d/b/a WORLD
WRESTLING ASSOCIATION,
SUPERSTARS OF WRESTLING, INC.,
and d/b/a W.W.A. SUPERSTARS,

Plaintiff,

v

TNA ENTERTAINMENT, LLC,

Defendant.

Case No. 04-C-0192

MAGISTRATE JUDGE
WILLIAM E. CALLAHAN

**MOTION OF DEFENDANT TNA
ENTERTAINMENT, LLC FOR RELIEF
FROM JUDGMENT, TO RESCIND
SETTLEMENT AGREEMENT, VACATE
INJUNCTION, REINSTATE ACTION
AND FOR SANCTIONS, AND MOTION
TO ALLOW FILING OF SUPPORTING
BRIEF UNDER SEAL**

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NOW COMES Defendant TNA Entertainment, LLC, by and through its attorneys, and hereby moves this Honorable Court pursuant to Fed. R. Civ. P. 60(b)(3) for an order vacating the Injunction issued with consent of the parties by this Court on December 16, 2005, vacating this Court's Order of Dismissal dated December 16, 2005, setting aside the parties' settlement agreement placed on the record with Magistrate Judge Goodstein on December 16, 2005 reinstating this action, and awarding sanctions, upon the ground that the settlement between the parties was procured by material misrepresentation of facts made by Plaintiff during the settlement discussions, all as more fully set forth in the supporting Brief filed herewith under seal. The legal and factual grounds for this Motion are described in detail in TNA's Brief and

they pertain to the Court ordered settlement mediation which occurred on December 16, 2005, and which was facilitated by Magistrate Judge Goodstein. Since that settlement mediation was intended to be confidential as indicated by Magistrate Judge Goodstein at the outset of the mediation and as indicated in this Court's Order dated November 7, 2005, Defendant TNA also moves this Court to allow filing of TNA's Brief under seal pursuant to Local Rule 79.4 so this Court can determine whether this Court, or Magistrate Judge Goodstein, or another magistrate judge, should read the Brief and decide this Motion.

Respectfully submitted,

MIKA MEYERS BECKETT & JONES ^{PLC}
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Dated: January 19, 2006

By: /s/ Douglas A. Donnell
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